

Message Text

SECRET

PAGE 01 SEOUL 06799 130658Z
ACTION PM-05

INFO OCT-01 INR-07 EA-07 SS-15 SP-02 L-03 MCE-00 IO-13
ISO-00 /053 W

-----017162 130704Z /12

R 130329Z AUG 77
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC 5735

S E C R E T SEOUL 6799

STADIS//////////

E.O. 11652: GDS
TAGS: MASS, KS, US
SUBJECT: MILITARY ASSISTANCE - SPECIAL LEGISLATION FOR KOREA

REF: JCS SPECIAL TASK FORCE 091739Z

1. UNC HAS RECEIVED VIA BACK CHANNEL MESSAGE (REFTEL) FROM
SPECIAL TASKS FORCE ON KOREA A DRAFT OF PROPOSED LEGISLATION
CONCERNING TRANSFER OF EQUIPMENT IN CONNECTION WITH U.S.
GROUND FORCES WITHDRAWAL.

2. WE NOTE IN PARTICULAR THE INTENTION IN THE DRAFT TO
INCLUDE AN OVERALL DOLLAR VALUE FOR THE TOTAL TRANSFER IN
THE LEGISLATION AND ASSUME THIS CONSIDERED NECESSARY FOR
CONGRESSIONAL APPROVAL. WE WOULD PREFER THAT NO
OVERALL MONETARY LIMIT BE ESTABLISHED IN THE LEGISLATION, BECAUSE
WE FORESEE DIFFICULTIES AHEAD DUE TO DOUBLE VALUATION FORMULA
PROPOSED. IT IS POSSIBLE THAT MOST ITEMS WILL FALL INTO THE
CATEGORY OF EQUIPMENT TO BE REPLACED. THE FORMULA FOR
SUCH EQUIPMENT IS TO VALUE IT AT ESTIMATED REPLACEMENT
COST LESS DEPRECIATION, BUT NO TIME FRAME IS PROVIDED FOR
WHEN ESTIMATE OF REPLACEMENT VALUE IS TO BE MADE. IF
OVERALL FIGURE FOR TRANSFER IS BASED ON CURRENT ESTIMATES
AND VALUE OF EACH ITEM BASED ON ESTIMATED REPLACEMENT AT
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TIME OF TRANSFER, WE MAY FIND TOTAL VALUE OF TRANSFER ITEMS
EXCEEDS LEGISLATIVE AUTHORITY AND BE FORCED TO REMOVE ITEMS
SCHEDULED FOR TRANSFER.

3. MOST IMPORTANT, JCS DRAFT OMITTS FOLLOWING POINTS INCLUDED IN
THE DRAFT PROPOSED BY THE COUNTRY TEAM EARLIER THIS YEAR WHICH WE FEEL
ARE STILL VERY IMPORTANT.

PLEASE SEE OUR PREVIOUS COMMENTS A) ADDITIONAL FMS CONCERNING SIZE.

B) AUTHORITY FOR TRANSFER OF WAR RESERVE MATERIEL IS STILL A MATTER OF CONCERN. DURING CURRENT VISIT TO SEOUL MESSRS. BENNENDIJK AND BECKINGTON HAVE MADE CLEAR THAT SENATE FOREIGN RELATIONS COMMITTEE DOES NOT BELIEVE ADMINISTRATION HAS AUTHORITY TO RELEASE STOCKPILES WITHOUT THIRTY-DAY CONGRESSIONAL REVIEW. IT WOULD BE EXTREMELY DISTURBING IF ROKG WERE TO RECEIVE INDICATIONS OF UNCERTAINTY IN USG REGARDING AVAILABILITY OF NEEDED MUNITIONS IN EMERGENCY.

C. WE NOTE THAT THE JCS DRAFT OMITTS PROPOSALS TO GIVE THE ROK THE SAME EXEMPTION FROM CERTAIN RESTRICTIONS AND REQUIREMENTS THAT THE LAW NOW PROVIDES FOR NATO COUNTRIES. WE BELIEVE IT WOULD BE USEFUL TO GIVE FURTHER THOUGHT TO THESE EXEMPTIONS, PARTICULARLY AS REGARDS THE RESTRICTIONS ON WAR RESERVE STOCKS FOR ALLIES CONTAINED IN SECTION 514 OF THE FOREIGN ASSISTANCE ACT.

4. AS NOTED ABOVE, DRAFT ONLY ADDRESSEE TRANSFER. WE ASSUME QUESTION OF OTHER ISSUES (I.E. ADDITIONAL FMS, SRM, NATO EXEMPTION) WILL BE HANDLED BY COMPANION BILL. IN TERMS OF OUR RELATIONS HERE, WE BELIEVE THAT TRANSFER AND OTHER LEGISLATION SHOULD BE PRESENTED IN TANDUM AND SHOULD COVER THE FULL COMPENSATION PACKAGE. BOTH GOVERNMENT AND PRIVATE OBSERVERS HERE WILL BE WATCHING THIS PROCESS CLOSELY
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AND CAN BE EXPECTED TO VIEW PARTIAL MEASURES, DESPITE ANY PROMISE OF FOLLOW-ON ACTION IN FUTURE YEARS, AS A WEAKENING OF THE U.S. COMMITMENT AND AN UNWILLINGNESS ON THE PART OF CONGRESS TO PROVIDE NECESSARY COMPENSATORY ACTIONS. PIECEMEAL ACTION WOULD ALSO BE LINKED IN THE KOREAN MIND TO THE EXPERIENCE FOLLOWING THE 1971 WITHDRAWAL. IN CIRCUMSTANCES PRESENT NOW IN SEOUL WE WONDER WHETHER HALF A LOAF MAY BE WORSE THAN NONE.

5. UNC IS SENDING SEPARATE MESSAGE THROUGH ITS CHANNELS.
STERN

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ASSISTANCE
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Aug-1977 12:00:00 am
Decaption Date: 22 May 2009
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977SEOUL06799
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770292-0464
Format: TEL
From: SEOUL
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770864/aaaacccam.tel
Line Count: 105
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Office: ACTION PM
Original Classification: SECRET
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Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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TAGS: MASS, KS, US
To: STATE
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